UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,466	08/23/2006	Timo Ali-Vehmas	894A.0021.U1(US)	9717

10948   7590   04/19/2011
Harrington & SMith , Attorneys At Law, LLC
4 Research Drive, Suite 202
Shelton, CT 06484

EXAMINER
NGUYEN, PHUNG HOANG JOSEPH

ART UNIT	PAPER NUMBER
2614	

MAIL DATE	DELIVERY MODE
04/19/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *1/18/11*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5 and 7-34* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5 and 7-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☒ All   b)☐ Some * c)☐ None of:

         1.☒ Certified copies of the priority documents have been received.

         2.☐ Certified copies of the priority documents have been received in Application No. _____.

         3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date *8/23/06*.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as
> set forth in section 102 of this title, if the differences between the subject matter sought to be
> patented and the prior art are such that the subject matter as a whole would have been obvious
> at the time the invention was made to a person having ordinary skill in the art to which said
> subject matter pertains. Patentability shall not be negatived by the manner in which the invention
> was made.

Claims 1-5, 7-10, 13-16, 18-22, 24, 27 and 29-34 are rejected under 35

U.S.C. 103(a) as being unpatentable over Kleier (US Pub 2002/0009990) in view of

Scheuring et al (US Pub 2002/0131565 - Previously disclosed).

Claims 1, 15, 27, 30, 32 and 33, Kleier teaches a method a memory, a mobile

terminal, a storage medium, and apparatus comprising,

drawing up a summons to a meeting in a mobile terminal of a convener of a

conference call between three or more participants that form a group of participants

using respective mobile terminals operating in a wireless network, to arrange a

conference call **(fig. 9 shows the invitation is sent to each user in D2 WAP Group**

call, [0033]; This invitation can be transmitted, in particular, by WAP (WML

content, e.g. WAP deck or WAP card) to the mobile terminals of the invited mobile

radio subscribers 3, 4, 5. Such an invitation can be transmitted, for example,

according to FIG. 7, Abstract, [0030]);

sending, by the mobile terminal of the convener, the summons to the meeting

from the mobile terminal of the convener to all members of the group of participants

(This invitation can be transmitted, in particular, by WAP (WML content, e.g. WAP

deck or WAP card) to the mobile terminals of the invited mobile radio subscribers

3, 4, 5. Such an invitation can be transmitted, for example, according to FIG. 7,

[0030]);

receiving calls, at the mobile terminal of the convener, from two or more of the

participants, the respective participants having made the call to the telephone number

mentioned in the summons; and automatically joining the participants to the conference

call in the mobile terminal of the convener **(an invited party...dialing a telephone**

number (virtual telephone conference number/bridge) transmitted with the

invitation whereupon he will be connected to the telephone conference, [0033]).

Kleier further teaches and the summons to the meeting includes the telephone

number of said convener **(a telephone number (virtual telephone conference**

number/bridge) transmitted with the invitation according to FIG. 9, [0033]);

Kleier does not explicitly detail "wherein the summons to the meeting is drawn up

in such a way that the information regarding the conference call is found at the same

points in the summons".

Examiner wishes to provide two positions in rejecting the claimed feature.

(i)   Information regarding the conference is inherently a basic element of any

form of conference where agenda is provided. Date/time/duration is provided. In this

specific situation, Kleier does not specifically detail the information regarding the

conference. Kleier however teaches setting up a conference call with a "Beer" group or

a "Basketball" group.   Here an ordinary artisan will understand that the agenda is an

implicit information where the initiator must include information such as where will they

meet for the "beer" get together. When it will be the get together?

Therefore it would have been obvious to the ordinary artisan at the time of the invention

was made to modify by adding a step or two to the teaching of Kleier to clearly define

this well known and well practiced in the art of conferencing. It is well within the

teaching of the Supreme Court.

The Supreme Court in KSR International Co. v. Teleflex Inc., 550 U.S. ___,

___, 82 USPQ2d 1385, 1395-97 (2007) identified a number of rationales to support a

conclusion of obviousness which are consistent with the proper "functional approach" to

the determination of obviousness as laid down in Graham.

Known work in one field of endeavor may prompt variations of it for use in

either the same field or a different one based on design incentives or other market

forces if the variations are predictable to one of ordinary skill in the art;

Some teaching, suggestion, or motivation in the prior art that would have led

one of ordinary skill to modify the prior art reference or to combine prior art reference

teachings to arrive at the claimed invention.

(ii)   Scheuring also teaches the claimed feature as he discusses to create the

agenda for the meeting/call and then associated call elements attachment to the

invitation. **"FIG. 6 is a flowchart illustrating a method 505 for scheduling a**

telephone conference. First, users (invitees) are selected (610) from the portrait

database 132. In addition, or alternatively, users may be selected via other techniques. Priorities are then set (620) for their attendance. Date/Time is then set (630) for the invitees. In an alternative embodiment of the invention, engine 140 may access all of the invitees' calendars and determine a time when all the invitees or all of the invitees with highest priority are available. Engine 140 may be limited to scheduling the calls though according to the invitee's portrait settings for the inviter, [0081]; Next, an agenda is created (640) for the meeting/call. Call elements, such as files, are then attached (650) to an invitation. Assignments are then made (660) for the invitees/participants and a task list to prepare for the meeting is created (670). The method 505 then ends, [0082]".

Therefore it would have been obvious to the ordinary artisan at the time of the invention was made to incorporate the teaching of Scheuring into the teaching of Kleier to clearly define that invitation including agenda is well-known practice in the art. Certainly there is no need of modification to the system, rather just a minor modification to the software coding at the development stage which then would greatly enhance the conference invitation setup for the convenience of the subscribers and at the same time a highly visible tool for service provider's marketing tool.

As to claim 2, Kleier teaches the summons to the meeting is drawn up before the group of participants is formed. *(Before or during the setting-up of the connection, an enquiry is preferably placed with participants whether the invitation to the conference connection is accepted, par. 0007. This indicates that the invitation is formed and the group is also regardless the order of being formed).*

As to claims 3, 16 and 31, Kleier teaches the group of participants is formed by selecting the participants from a list saved in a memory of a mobile terminal and/or by manually inputting the contact information of the participants *(i.e., the participants 3, 4, 5, 6 of the group of mobile radio subscribers which are stored in the list for which list participant 1 has requested a telephone conference, par. 0032; Or the list can be stored in the mobile radio network, in the mobile terminal or in a SIM card, par. 0028).*

the contact information comprising at least one of telephone numbers, e-mail addresses *(par. 0034).*

As to claim 4, Kleier teaches a method that the group of participants is given a name and the formed group is saved in a memory of the mobile terminal of the convener for later use *(In the menu in FIG. 1, for example, a telephone conference can be initiated to the members of group 1 (friends) by pressing key 1 on the mobile terminal on which this menu is displayed (or acoustically). This correspondingly applies to numbers 2 and 3 of the menu designated as "beer" or "basketball". The name for a menu can be selected arbitrarily by the user of the mobile terminal, par. 0025).*

Claim 5, Kleier does not specifically discuss a time of the conference call and other information concerning the conference call is given in the summons to the meeting, Scheuring teaches the claimed feature (see fig. 6, label 630).

As to claims 7 and 19, Kleier teaches a method that the summons to the meeting is formed as a character string composed of ASCII **characters** *(see figs. 7 and 9, the characters used are the ASCII).*

As to claims 8 and 20, Kleier teaches that the summons to the meeting is sent to all members of the group of participants as a text message *(i.e., transmits a message (for example SMS PtP short message or WAP Deck/WAP Card) to the participants in the list for this group, par. 0006).*

As to claims 10 and 22, Kleier does not specifically that in connection with drawing up the summons to the meeting, a connection is opened to a calendar application in the mobile terminal of the convener and a reservation of time is made in the calendar application.

Scheuring teaches a calendar system to help users schedule their meeting, conference, sending out and responding to event invitation (Abstract and fig. 1).

As to claims 9 and 21, Kleier teaches that the summons to the meeting is sent to all members of the group of participants as an e-mail **message** *(the invited participants can be checked via various telecommunication identities, especially telephone numbers, e-mail addresses etc., par. 0034).*

As to claims 13-14, Kleier teaches the convener of the conference call is given a notification by the mobile terminal of the convener when a new participant has been joined to the conference call.   Furthermore, the notification is given with an acoustic signal or a recorded voice message *(par. 0030).*

As to claim 18, Kleier teaches the memory wherein the actions further comprise starting the application from a menu of the mobile terminal *(In the menu in FIG. 1, for example, a telephone conference can be initiated to the members of group 1 (friends) by pressing key 1 on the mobile terminal on which this menu is displayed (or acoustically). This correspondingly applies to numbers 2 and 3 of the menu designated as "beer" or "basketball". The name for a menu can be selected arbitrarily by the user of the mobile terminal. If item 4 in FIG. 1 is selected (for example by pressing key 4 on the mobile terminal), the menu according to FIG. 2 is displayed, par. 0025).*

Claim 24, see claim 1 on the discussion of automatic connection.

As to claim 29, Kleier teaches a mobile terminal configured to start the application from a menu of the mobile terminal *(fig. 1 and pars. 0024-0026).*

Claim 34, **see claim 1 (ii).**

Claims 11, 12, 17, 25 and 28 are rejected under 35 U.S.C. 103(a) as unpatentable over Kleier in view of Scheuring and further in view of Wu (previously disclosed).

Claims 11, 12 and 25, in combination and by obviousness, Kleier and Scheuring teach the summons to the meeting is saved in a memory of the mobile terminal for later use; a duration of the conference call and a name of the group of participants are saved in a memory of the mobile terminal; and saving a duration of the conference call and a name of the conference call in the memory of the mobile terminal **(Kleier: conference set-up, information, suitably stored/saved in the mobile terminal or mobile radio**

subscriber identity card, [0008, 0024, 0026, 0032]; Scheuring: The calendaring

engine 115 includes a calendar database 117 for storing events and a calendars

file 119 for storing calendar preferences and customizations (e.g., graphics,

default view, custom names for the calendars, etc.), [0057, 0059]).

Both do not discuss the duration of a conference call and though teaching of the

duration of a conference call is obvious for participant's planning, Wu teaches the

duration of a conference call **(see fig. 4A, block 412 indicating the length of the call**

is 1 hours).

Furthermore, Wu also teaches the invitation with associated information is saved

for future use *(fig. 8 shows step 810 forwarding the invitation, then the invitation*

being saved. Upon completion of processing, a determination is made at 810 as

to whether the coordinator wishes to forward the invitations to the selected

participants. If the coordinator decides in the affirmative then the invitations are

forwarded at 812. At 814 a determination is made as to whether the generated

telephone conference profile information should be saved. At 816 telephone

conference profile information to be saved is provided with an identifier and the

process is concluded, col. 10, lines 19-26).

Therefore, it would have been obvious to one of ordinary skill in the at the time

the invention was made to incorporate the teachings of Wu into the teachings of Kleier

for the purpose of utilizing the memory feature in a mobile device where it can save

literally any activities once used for the future use.

As to claims 17 and 28, Kleier, in view of Scheuring, teaches the actions further comprise starting the application (**the menu in FIG. 1, for example, a telephone conference can be initiated to the members of group 1 (friends) by pressing key 1 on the mobile terminal on which this menu is displayed (or acoustically). This correspondingly applies to numbers 2 and 3 of the menu designated as "beer" or "basketball". The name for a menu can be selected arbitrarily by the user of the mobile terminal, par. 0025).**

Kleier does not specifically teach "a starting icon produced on a display of a mobile terminal". Wu teaches the icons on the display **(see figs. 4A-C)** for the purpose of promptly providing a visually interactive choice for the participants.

Therefore, it would have been obvious to one of ordinary skill in the at the time the invention was made to incorporate the teachings of Wu into the teachings of Kleier, in view of Scheuring, for the purpose of maximizing the use of every feature available for the mobile user.

Claims 23 and 26 are rejected under 35 U.S.C. 103(a) as being obvious over Kleier (US Pub 2002/0009990).

As to claim 23 and 26, Kleier does not specifically teach separating the received summons to the meeting from other messages that have arrived; and giving a notification to a convener of the conference call when a new participant has been joined to the conference call.

It is, however, obvious to the ordinarily skilled artisans to believe that all messages coming in will be delivered to different folders or having different icons or

having different forms of notification based on the header information.   It is to let the receivers, whether in a conference call or not, know the differences and to response appropriately.   Furthermore, conference call is created in a controlled environment where only certain members of a specific group (i.e., friends, beer, basketball, see fig. 1) are called to the conference. Most will come on time. Few will come late.   It is so obvious that when new participant joins, in a very usual situation, a notification (i.e., acoustic sound) would indicate to the convener (if not all) that some one new is just join the call.

Therefore, it would have been obvious to one of ordinary skill in the at the time to believe in a most logical way to believe that Kleier's system and method would be very capable of separating the received summons to the meeting from other messages that have arrived; and of giving a notification to the convener of the conference call when a new participant has been joined to the conference call.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSEPH J. NGUYEN whose telephone number is (571)270-1949. The examiner can normally be reached on Monday to Thursday, 8:30AM - 5:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on 571 272 7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Phung-Hoang J Nguyen/
Examiner, Art Unit 2614